

**MINUTES
OF THE
NATURAL RESOURCE COMMISSION
MEETING**

JUNE 12, 2008

**ONAWA COMMUNITY CENTER
ONAWA, IOWA**

FOR OFFICE USE ONLY

DATE MINUTES APPROVED BY NRC: 08/14/08

DIRECTOR'S SIGNATURE: _____

RECORD COPY

FILE NAME: ADM 1-1-1

NRC MINUTES

SENDER'S INITIALS : KR

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by Chairperson Bill Bird at 8:30 a.m. on Thursday, June 12, 2008 at the Onawa Community Center, Onawa, Iowa.

Commissioner Bird welcomed the public to the meeting and expressed appreciation of staff and the local Friends Group for the tour. The tour and presentations included volunteer training, boating safety program, visitor's center tour and a keel boat presentation with Butch Bouvier.

Expressions of sympathy were made regarding the fatalities and injuries from a tornado at the Little Sioux Boy Scout Ranch. Remarks were also made that state facilities may be vulnerable to similar type disasters and proactive type planning should be reviewed.

MEMBERS PRESENT

Elizabeth Garst
Gregory Drees
Janelle Rettig
William Bird
Richard Kim Francisco

MEMBERS ABSENT

Carol Kramer

APPROVE AGENDA

Announcement was made that Item 15 would be removed from the agenda.

Motion was made by Commissioner Garst to approve the June 12, 2008 NRC agenda. Seconded by Commissioner Francisco. Motion carried by unanimous vote of those present.

APPROVE MINUTES

Motion was made by Commissioner Francisco to approve the May 8, 2008 NRC minutes. Seconded by Commissioner Rettig.

Commissioner Rettig indicated that in the last paragraph, second sentence, the word "furnishings" should instead be "promotional materials." In addition, in the first sentence on page 33 under General Discussion, the word "equestrian" should be changed to "pedestrian."

Motion to approve the minutes, as amended, carried unanimously.

DIRECTOR'S REMARKS

- With the flooding and severe weather situations Iowa's been hit with, the Director has been working with the Governor's office. Also, DNR staff have really stepped up. The DNR staff at the Emergency Command Center have become the "go to" people. Also, the relocation of displaced staff due to flooding has occurred efficiently and effectively. The long term effects and fiscal impacts are being calculated but our current mode is emergency management and making sure citizens are safe. The Commission encouraged the Department to present to the legislators a special ask for the weather and flood related damages. The Commission inquired on emergency management plans and weather shelters, especially in the state parks. The Director will follow up.

CONSTRUCTION PROJECTS

Bids were opened May 22, 2008, for the following projects:

Rock Creek State Park, Jasper County – Shelter House

This project consists of the construction of an approximately 1056 square foot, one-story, unheated, metal-roofed shelter building, without a basement. The building includes concrete slabs and park benches, as shown on the drawings. During the design of this project, particular attention was paid to sustainability, handicapped accessibility and vandal resistance. The building is an open-air shelter, not designed to be heated. The structure will have lighting and power. Fixtures and bulbs are designed to be fluorescent for maximum energy efficiency. The roof system is low-maintenance metal. There are no water or sewer services. The facility is designed to be fully handicapped-accessible in accordance with the state building code and the American Disability Act. The DNR estimate was \$35,000. Project is budgeted 50% from REAP Land Management and 50% from local donations (Capital Link #74). The project was designed by Thierry Amice and will be inspected by Jason Kruse. 20 sets of plans were issued. 3 bids were received.

MK Construction	Brooklyn, IA	\$64,565.60
TK Concrete Inc.	Pella, IA	\$85,276.00
United Contractors Inc.	Johnson, IA	\$114,932.00

Staff recommends award of contract to MK Construction, low bidder.

Commissioner Garst moved this item. Commissioner Francisco seconded the item. Department clarified the estimate for the materials was done approximately two years ago when the project began. Motion carried unanimously.

Waubonsie State Park, Fremont County – WaShawtee Cabins Renovations

This project consists of the renovation of several WaShawtee buildings, including the maintenance building and the 3 cabins on Hill #1 (Shagbark, Kahiga and Mischanaka). This includes the addition of some septic systems, water and electrical upgrades, replacement of windows, Heating Ventilation Air Conditioning, framing, gypsum board work, and the finishing or refinishing of surfaces, the extent of which is shown on the drawings. The project also includes some metal roofing work on three other cabins. Alternate 1 Provides for the same type of work for the Lane Lodge, and Alternate 2, the same for the former Infirmary Building. Alternate 3 provides for similar work to be done to the old Administrative Building (cabin), the Cook's cabin and the Hideaway Cabin. During the design of this project, as always, we paid particular attention to sustainability, handicapped accessibility and vandal resistance. Every effort has been made to design with sustainable materials and equipment. It is intended that the waste construction materials, as well as the products of partial demolition, be recycled. The water heaters will be on-demand type (these do not heat water in a storage tank but only heat what is needed) to save on energy use. The roof systems are low-maintenance metal. The windows will be, at a minimum, double-glazed with low-energy glass. The structures will have lighting and power, and the fixtures and bulbs are designed to be fluorescent with maximum energy efficiency. The facility is designed to be handicapped accessible in accordance with requirements of the state building code and the American Disability Act. DNR estimate was \$270,000. Project is budgeted \$270,000 from the Waubonsie/WaShawtee Special Appropriations (Capital Link #90), \$90,000 from the Health and Safety Account (carry over),

and \$20,000 from a Native Scenic Byways grant (through Golden Hills RC&D). The project was designed by Thierry Amice and will be inspected by Mark Johnson. 17 sets of Plans were issued. 2 bids were received.

Mallard LTD Construction	Council Bluffs, IA	\$380,000.00
Alternate #1		\$120,000.00
Alternate #2		\$ 75,000.00
Alternate #3		\$139,000.00
Mark Hughes Construction	Glenwood, IA	\$547,000.00
Alternate #1		\$157,000.00
Alternate #2		\$ 95,000.00
Alternate #3		\$161,000.00

Staff recommends award of contract to Mallard LTD Construction without alternates.

Commissioner Garst moved this item. Commissioner Rettig seconded the item. Commission expressed concern over the bid amounts being much higher than the estimate and the need for more information in the brief. Motion failed (3 aye votes Commissioners Rettig, Garst, and Francisco, 2 nay votes Drees, and Bird).

LAND ACQUISITION

Kuehn Conservation Area, Dallas County—Iowa Natural Heritage Foundation (INHF)

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Dallas County. Dallas County Conservation Board owned and managed land, known as the Kuehn Conservation Area, is adjacent to the north. The Iowa Natural Heritage Foundation (INHF) offers the 122-acre parcel for \$255,560. The appraised value of the property is \$610,000. The INHF acquired the property in two parcels from Gerald and Jane Kuehn. The north 50 acres, valued at \$300,000, was donated to the INHF in December of 2007. The south 72 acres, valued at \$310,000, was acquired in January 2008 for \$234,500.

Brian Linnemeyer, Licensed Appraiser of Indianola, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement. This property is located in southwestern Dallas County, Iowa. The town of Redfield is located three miles northwest of the property. The property lies across the South Raccoon River from the DNR-owned Pleasant Creek Valley Wildlife Area. The acquisition would increase the management area of the Kuehn Conservation Area from 610 acres to 732 acres, extending it south along its main entrance road. This addition would add high quality woodland and upland to its habitat, protect its entrance and views, and provide a staging area for public programming. This acquisition will be managed by the Dallas County Conservation Board in accord with the area management plan. Funding used for this acquisition will be the REAP Public/Private Grants Program. The property will remain eligible for continued payment of property taxes assessed by Dallas County. Incidental closing costs will be the responsibility of the Department.

Commissioner Rettig moved this item. Commissioner Francisco seconded the item. Commission commented on the benefits of County/State partnerships and the Department was asked to consider a forestry management plan for this project. Motion carried unanimously.

Shimek State Forest, Lee County—Brent and Kimberly Filz

The Natural Resource Commission's approval is requested to purchase a parcel of land located in western Lee County. Brent and Kimberly Filz offer this 119-acre tract for the appraised price of

\$261,800. The sellers will retain the Conservation Reserve Program (CRP) payments as may be earned on 47 acres through 2011. (This tract is the remainder of the Filz parcel following the Commission's approval of the west 141 acres at its May 8, 2008 meeting.)

Steve Badger, Licensed Appraiser of Marshalltown, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement. This property is located 2 miles southeast of Croton. The tract is adjacent east of the Croton Unit of Shimek State Forest. The gently-sloping to steep tract is comprised of 69 acres of forested land, 47 acres of grassland enrolled in CRP, 35.5 acres cropland, and 3.0 acres of roads and ditches. The average Corn Suitability Rating of the property is 31. There are no building improvements. A creek bisects the property from north central to southwest. A gravel-based county road provides access to the east side of the tract.

This tract will increase the Croton Unit to 2,090 acres and will provide wildlife habitat, improve surface water quality, and enhance public recreation to this area. The Forestry Bureau will manage the property in accord with the area management plan. Acquisition funding will be provided by REAP Open Spaces from the Fiscal Year 2009 Budget. This acquisition will stay on the tax rolls. No survey or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department.

Commissioner Francisco moved the item. Commissioner Garst seconded the item. Motion carried unanimously.

EASEMENT – MCCLELLAND BEACH WILDLIFE MANAGEMENT AREA, DICKINSON COUNTY— IOWA GREAT LAKES SANITARY DISTRICT

The Natural Resource Commission's approval is requested for the issuance of a permanent easement to the Iowa Great Lakes Sanitary District to maintain an existing sewer force main that crosses under McClelland Beach Wildlife Management Area, located adjacent and north of Spirit Lake. The property was acquired by the DNR in December 2007 as a donation from Bartels, Bartels and Fox, Limited Partnership. The easement will occupy 20 feet in width by approximately 100 feet in length adjacent to an existing roadway. It will not adversely affect public use or management of the area. The sewer main was constructed prior to the property being donated to the DNR. This easement is to correct an omission error that should have reserved the easement from the deed. Due to this easement being a correction to a donation, no consideration is proposed. There will be no costs to the DNR associated with issuance of this easement.

Commissioner Francisco moved the item. Commissioner Drees seconded the item. Motion carried unanimously.

LAKE MANAWA CONSULTING FIRM SELECTION

A Request for Proposal (RFP) was issued to solicit proposals from qualified engineering consulting firms with experience in providing engineering and consulting services for the design of a complete Recreational Vehicle (RV) campground along with underground utilities. The selected firm will provide two conceptual layouts of the proposed campground design, consisting of a minimum of 70 RV camping sites that will accommodate Class-A type RV's, a central shower building location, location of a trailer dump station and relocation of the existing play ground. The existing service road to the boat ramp parking lot will be removed to make optimum use of the entire peninsula for the campground design. The scope of work also includes new service roads that will serve the RV pads and the boat ramp. The parking lot and the boat ramp at the southern end of the peninsula would remain and will be integrated into the

new design layout. All of the campsites/pads will be full hookup sites. Five proposals were received. The proposals were reviewed by a three member evaluation committee: Mike Hameed, Don Labate and Robert Schierbaum. The evaluation committee scored the submitted proposals based on the following criteria: 1) capability to undertake the project by the firm (30); 2) technical expertise (30); 3) work plan to execute the project (20); and 4) cost of service (20).

Out of a possible 100 points, the proposals received the following scores:

Schemmer Associates, Inc.	77.4
Stanley Consultants	75.1
Barlett & West, Inc.	64.7
Snyder & Associates	56
Barker Lemar	49.3

Staff recommends awarding the contract to Schemmer Associates Inc., the vendor with the highest score. After negotiations, the firm has agreed to provide the above mentioned services for \$54,000. Funding will be provided by REAP Land Management (\$19,050), Iowa West Grant (\$27,050), Friends Group (\$6,000), and an in-kind survey value (\$4,100).

Commissioner Rettig moved the item. Commissioner Francisco seconded the item. Commission recommended working with Schemmer to include as much sustainability into the plan as possible on low impact development. Motion carried unanimously.

FISCAL YEAR 2009 CAPITAL PLAN

The Commission was presented the FY09 Department of Natural Resources' Capital Plan for review. Funds from a number of sources are available in FY09 to effectuate land acquisition, open space development, infrastructure repair and construction (or development), and capital requirements of related grant programs. The proposed spending plan is listed by funding source on the following tables.

DNR Capitals Projects and Programs **Plan for FY 2009**

Fund Source	FY08 Programmed Funds	FY09 Appropriations	Total Federal/Other	Total
Fish and Wildlife Trust Fund		\$6,500,000	\$6,655,946	\$13,155,946
Park and Institutional Road Fund		\$6,423,000		\$6,423,000
Infrastructure and Capitals				
Lake Water Quality Improvement	\$2,266,617	\$8,600,000	\$7,039,000	\$17,905,617
Marine Fuel Tax	\$638,002	\$2,300,000	\$350,000	\$3,288,002
REAP Open Spaces				
<i>Land Acquisition</i>		\$2,190,850		\$2,190,850
<i>Land Development</i>	\$24,771	\$2,190,849	\$787,500	\$3,003,120
<i>Protected Water Area</i>	\$15,280	\$257,747		\$273,027
<i>Public/Private Cost Share</i>	\$8,544	\$515,494		\$524,038

REAP Land Management	(\$16,432)	\$1,656,945	\$425,430	\$2,065,943
REAP Non-Game Programs	\$1,140,410	\$600,000	\$528,000	\$2,268,410
Special Appropriations	\$1,928,911	\$1,350,000	\$1,600,000	\$4,878,911
Destination State Park		\$10,000,000		\$10,000,000
Water Trails		\$1,000,000	\$400,000	\$1,400,000
Dam Safety		\$250,000		\$250,000
State Parks Health and Safety	\$910,785			\$910,785

TOTAL	\$6,916,888	\$43,834,885	\$17,785,876	\$68,537,649
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**Fish and Wildlife Trust Fund
FY 2009**

	Area	Description	Federal	Trust Fund	Other	Total
	DIVISION WIDE:					
1	Division	Deer Registrations		\$400,000		\$400,000
2	Division	HUSH		\$725,000		\$725,000
3	Division	ELSI		\$757,750		\$757,750
		DIVISION TOTAL		\$1,882,750		\$1,882,750
	WILDLIFE HABITAT STAMP PROGRAMS:					
4	Statewide	Habitat Stamp Grants to CCBs		\$900,000		\$900,000
5	Statewide	Property Taxes for Habitat Stamp		\$230,000		\$230,000
6	Statewide	State Habitat Acquisition		\$700,000		\$700,000
7	Statewide	Wetland Restoration		\$456,000		\$456,000
8	Angler's Bay	NE Iowa Acquisition		\$100,000		\$100,000
9	NAWCA	Prairie Lakes Phase I	\$250,000		\$19,850	\$269,850
10	NAWCA	Prairie Lakes Phase II	\$600,000		\$58,000	\$658,000
11	NAWCA	Prairie Lakes Phase III	\$350,000			\$350,000
12	NAWCA	Prairie Lakes Phase IV	\$250,000			\$250,000
13	NAWCA	Iowa River Corridor	\$500,000			\$500,000
14	NAWCA	Cedar-Wapsi Valley	\$270,000		\$500	\$270,500
15	NAWCA	DU Missouri River I	\$90,000			\$90,000
16	NAWCA	DU Missouri River II	\$300,000			\$300,000
17	NAWCA	Southern Tallgrass	\$300,000			\$300,000
18	NAWCA	Small Grants - Upland Habitat Dev. II	\$26,000			\$26,000
19	NAWCA	Small Grants - Central Iowa Prot. Waters	\$75,000			\$75,000
		WILDLIFE HABITAT TOTAL	\$3,011,000	\$2,386,000	\$78,350	\$5,475,350
	DUCK STAMP PROGRAM:					
20	Statewide	DNR Payments to Ducks Unlimited		\$40,000		\$40,000
21	Statewide	Land Acquisition		\$200,000	\$100,000	\$300,000
		DUCK STAMP TOTAL		\$240,000	\$100,000	

FISH HABITAT STAMP PROGRAM:

22	County Cost Share Program	Habitat Development		\$470,000		\$470,000
	Statewide	Habitat Fee Land Acquisition/Easement				
23	Spirit Lake	Yarns Property		\$100,000		\$100,000
24	Waterloo Creek	Haugen Property	\$342,750	\$65,000	\$49,250	\$475,000
25	Easements/Acquisitions	Trout Streams and Lakes	\$22,500	\$75,000		\$97,500
	Statewide	Habitat Fee - Improvement				
26	Red Rock Reservoir	Habitat	\$52,500	\$17,500		\$70,000
27	Green Valley	Habitat	\$95,475	\$31,825		\$127,300
28	Meadow Lake	Habitat	\$37,500	\$12,500		\$50,000
29	Miscellaneous	Habitat		\$8,175		\$8,175
30	NE Coldwater Stream		\$50,000	\$50,000		\$100,000
31	Bloody Run (319)	Habitat	\$25,577			\$25,577
32	Waterloo (319)	Habitat	\$35,770			\$35,770
33	Wapello	Habitat	\$135,000	\$45,000		\$180,000
		FISH HABITAT TOTAL	\$797,072	\$875,000	\$49,250	\$1,739,322

FISHERIES PROGRAMS:

34	Onawa/Lewis and Clark State Park	Shop Building		\$250,000		\$250,000
35	Rathbun	Darken Start Tank Room	\$37,500	\$12,500		\$50,000
36	Rathbun	Alarm Panel Control Upgrade	\$18,750	\$6,250		\$25,000
37	Rathbun	Refurbish Start Tank	\$45,000	\$15,000		\$60,000
38	Rathbun	Smart Screen Upgrade	\$22,500	\$7,500		\$30,000
	Access					
39	Ada Hayden Lake	Fishing Pier	\$80,000		\$26,667	\$106,667
40	Center Lake	Fishing Pier	\$30,000	\$10,000		\$40,000
41	Clear Lake - Harbor Inn	Fishing Pier - Jetty	\$22,500	\$7,500		\$30,000
42	Five Island Lake	Fishing Pier - Pier	\$22,500	\$7,500		\$30,000
43	Pleasant Creek Lake	Floating Pier	\$26,250	\$8,750		\$35,000
44	Silver Lake	Floating Pier	\$22,500	\$7,500		\$30,000
45	Upper Iowa River	Angler Access	\$52,500	\$17,500		\$70,000
46	North Prairie Lake	Angler Access	\$11,250		\$3,750	\$15,000
47	Lake Macbride	Jetty Maintenance	\$18,750	\$6,250		\$25,000
48	Pleasant Creek Lake	Jetty Maintenance	\$18,750	\$6,250		\$25,000
49	Pleasant Creek Lake	Access - Path and Parking	\$11,250	\$3,750		\$15,000
		FISHERIES PROGRAM TOTAL	\$440,000	\$366,250	\$30,417	\$836,667

WILDLIFE PROGRAMS:

50	EPA 319 FY03	Wetland Restoration	\$482			\$482
51	EPA 319 FY04	Wetland Restoration	\$9,022			\$9,022
52	EPA 319 FY05	Wetland Restoration	\$1,103			\$1,103
53	EPA 319 FY06	Wetland Restoration	\$21,000			\$21,000
54	EPA 319 FY07	Wetland Restoration	\$25,000			\$25,000
55	EPA 319 FY08	Wetland Restoration	\$25,000			\$25,000
56	EPA 319 Grant	Kiowa Marsh Wetland Restoration	\$110,500	\$30,000	\$12,500	\$153,000
57	EPA 319 Grant	Monitoring/Chemical App. at Big Wall Lake	\$21,000			\$21,000
58	Statewide	Ducks Unlimited Development Projects		\$100,000	\$100,000	\$200,000
59	Statewide	Reimbursable WRP Projects		\$50,000	\$400,000	\$450,000
60	Statewide	SWG Research Contracts/Agreements	\$265,000			\$265,000
61	Statewide	LIP Tier 2 Landowner Payment	\$580,000			\$580,000

62	Statewide	Habitat Checkoff Partners Payment - INSGA		\$100,000	\$100,000
63	Statewide	FEMA Disaster Match	\$50,000		\$50,000
64	Statewide	Maintenance and Emergency Repairs	\$200,000		\$200,000
65	Statewide	Facility Upgrades			\$0
66	Statewide	Archaeological Surveys			\$0
67	Statewide	Timber Management Account	\$200,000		\$200,000
68	Statewide	Habitat Managemenet Account	\$100,000		\$100,000
69	Statewide	Ruffed Grouse Habitat, Donations from RGS		\$9,000	\$9,000
70	MR Mitigation	Shallow Water Excavations		\$300,000	\$300,000
71	MR Mitigation	Wetland Enhancement		\$150,000	\$150,000
72	MR Mitigation	Predestain Access		\$50,000	\$50,000
73	Snyder Bend	Water Delivery Channel Cleanout		\$50,000	\$50,000
74	Rice Lake Unit	Parking Component of P&I Road Project	\$20,000		\$20,000
75	George Kunch	Estate Development Carry Over		\$68,000	\$68,000
		WILDLIFE PROGRAM TOTAL	\$1,058,107	\$750,000	\$1,239,500
					\$3,047,607

LAW ENFORCEMENT PROGRAMS:

	LAW ENFORCEMENT PROGRAM TOTAL	\$0			\$0
TOTAL		\$5,306,179	\$6,500,000	\$1,497,517	\$13,303,696

**Park and Institutional Road
FY 2009**

	Area	Description	Federal	P&I Funds	Other	Total
76	Honey Creek State Park	Road Development and Renovation		\$3,500,000		\$3,500,000
77	Mines of Spain - EB Lyons	Road Development and Renovation		\$100,000		\$100,000
78	Kearny State Park	Road Development and Renovation		\$100,000		\$100,000
79	Rice Lake WMA	Road Development		\$200,000		\$200,000
80	Backbone Richmond Springs	4 Low Water Grade Crossings		\$200,000		\$200,000
81	Margo Frankel	Road Development and Renovation		\$200,000		\$200,000
82	Volga SRA - Equestrian Campgrnd	Road Development and Renovation		\$700,000		\$700,000
83	Lewis and Clark	New Access Road		\$80,000		\$80,000
84	Yellow River	2 Low Water Grade Crossings		\$115,000		\$115,000
85	Stephens State Forest	Road Development		\$325,000		\$325,000
86	East Okoboji	Road Development		\$100,000		\$100,000
87	Pammel	Road Repair		\$233,000		\$233,000
88	Design Services	Engineering and Inspection		\$570,000		\$570,000
	TOTAL			\$6,423,000		\$6,423,000

INFRASTRUCTURES AND CAPITALS

**Lake Water Quality Improvement
FY 2009**

	Area	Description	Federal	Special Approps	Other	Total
89	Clear Lake	Dredging	\$2,500,000	\$3,000,000	\$1,000,000	\$6,500,000
90	Crystal Lake	Watershed		\$50,000		\$50,000
91	Storm Lake	Dredging		\$1,150,000	\$750,000	\$1,900,000

92	Black Hawk Lake	D/F Study		\$125,000	\$30,000	\$155,000
93	Brushy Creek Lake	Watershed Protection	\$150,000	\$50,000		\$200,000
94	Carter Lake	Fish Restoration, Watershed	\$200,000	\$200,000	\$50,000	\$450,000
95	Easter Lake	Watershed/Stormwater		\$10,000	\$10,000	\$20,000
96	Five Island Lake	Dredging		\$150,000	\$150,000	\$300,000
97	Green Valley Lake	Watershed, Containment Site	\$100,000	\$1,640,000		\$1,740,000
98	Lake Darling	Spillway Repair, Watershed	\$300,000	\$1,450,000		\$1,750,000
99	Lake Macbride	Cottage Reserve Rd Riprap		\$10,000	\$109,000	\$119,000
100	Lake Manawa	D/F Study		\$200,000	\$30,000	\$230,000
101	Lake Rathbun	Shoreline Riprap	\$500,000	\$150,000		\$650,000
102	Lost Island Lake	Watershed, Carp Removal		\$100,000	\$25,000	\$125,000
103	Prairie Rose Lake	Watershed, Containment Site	\$200,000	\$300,000		\$500,000
104	Rock Creek Lake	Watershed Improvements	\$300,000	\$600,000		\$900,000
105	Silver Lake	Watershed Improvements	\$45,000	\$15,000		\$60,000
106	Union Grove Lake	Watershed, Silt Dike	\$300,000	\$100,000		\$400,000
107	Viking Lake	Watershed Improvements	\$30,000	\$10,000		\$40,000
108	Engineering Services	Design		\$490,000		\$490,000
109	Feasibility Studies	Required Studies		\$200,000	\$50,000	\$250,000
110	Minors Projects	Miscellaneous Projects		\$296,617		\$296,617
111	Priority Watersheds	Protection of Lakes	\$150,000	\$50,000		\$200,000
112	Shallow Lakes	Water Quality Improvements	\$60,000	\$120,000		\$180,000
113	Statewide	Project Management Transfer		\$200,000		\$200,000
114	Dam Safety	Signage		\$200,000		\$200,000
TOTAL			\$4,835,000	\$10,866,617	\$2,204,000	\$17,905,617

**Marine Fuel Tax
FY 2009**

	Area	Description	Federal	MFT	Other	Total
115	Statewide	Local Boating WRAC Grants	\$100,000	\$300,000		\$400,000
116	Statewide	Design Services		\$200,000		\$200,000
117	Statewide	Water Trails Program Grant Program		\$144,425	\$100,000	\$244,425
118	Statewide	Water Trails Administrative Transfer		\$50,000		\$50,000
119	Statewide	Minors - Maintenance	\$100,000	\$100,000		\$200,000
120	Honey Creek	Destination State Park		\$993,577		\$993,577
121	Storm Lake	Casino Bay Marina Upgrade	\$50,000	\$50,000		\$100,000
122	Lost Grove Lake	Lake Construction		\$800,000		\$800,000
123	Angler's Bay	Final Land Acquisition Payment		\$300,000		\$300,000
TOTAL			\$250,000	\$2,938,002	\$100,000	\$3,288,002

**REAP Open Spaces
FY 2009**

	Area	Description	Federal	REAP	Other	Total
ACQUISITION:						
124		Appraisal/Acquisition Costs		\$918,650		\$918,650
125		Filz Property		\$310,200		\$310,200
126		Sherburne Property		\$162,000		\$162,000

127	Contingency Fund			\$500,000		\$500,000
128	REAP Property Taxes			\$300,000		\$300,000
		ACQUISITION TOTAL		\$2,190,850		\$2,190,850
	DEVELOPMENT:					
129	Backbone	Sleeve Cabin Sewer		\$50,000		\$50,000
130	AA Call	Historic Cabin		\$50,000		\$50,000
131	Dolliver	Replace 3 Bridges	\$127,500	\$42,500		\$170,000
132	Green Valley	Campground Electronic Upgrade - 90	\$160,000	\$290,000		\$450,000
133	Green Valley	Creston Trail - Pave		\$200,000		\$200,000
134	Ledges	Donation Match		\$10,000		\$10,000
135	Lewis and Clark	Visitor Center	\$400,000	\$250,000		\$650,000
136	Maquoketa Caves	Water and Well		\$60,000		\$60,000
137	Mines of Spain	Utilities and Parking		\$200,000		\$200,000
138	Nine Eagles	Cabin Match		\$50,000		\$50,000
139	Palisades Kepler	Gazebo		\$40,000		\$40,000
140	Pine Lake	Multi-family Cabin		\$200,000	\$100,000	\$300,000
141	Springbrook	Sherburne House		\$100,000		\$100,000
142	Statewide	Contingency		\$163,349		\$163,349
143	Waubonsie	Bridge Match		\$25,000		\$25,000
144	Wildcat Den	Siding and Restroom		\$160,000		\$160,000
145	Statewide	Design and Engineering		\$300,000		\$300,000
146	Statewide	Miscellaneous		\$24,771		\$24,771
		DEVELOPMENT TOTAL	\$687,500	\$2,215,620	\$100,000	\$3,003,120
	PROTECTED WATER AREAS:					
147	Little Sioux River	Acquisition		\$67,830		\$67,830
148	Upper Iowa River	Acquisition		\$25,000		\$25,000
149	Boone River	Acquisition		\$80,170		\$80,170
150	Wapsipinicon River	Acquisition		\$50,027		\$50,027
151	Statewide	Project Management Transfer		\$50,000		\$50,000
		PROTECTED WATER AREA TOTAL		\$273,027		\$273,027
	PUBLIC/PRIVATE COST SHARE:					
152	Statewide	Projects		\$524,038		\$524,038
		PUBLIC/PRIVATE TOTAL		\$524,038		\$524,038
	REAP OPEN SPACES TOTAL		\$687,500	\$5,203,535		\$5,991,035

**REAP Land Management
FY 2009**

	Area	Description	Federal	REAP	Other	Total
153	Parks Statewide	Minor Projects		\$420,000		\$420,000
154	Forestry	Minor Projects		\$207,756		\$207,756
155	Wildlife	Projects	\$168,900	\$307,757		\$476,657
156	Fisheries	Projects	\$251,530	\$200,000	\$5,000	\$456,530
157	Parks FEMA	Matching Funds		\$50,000		\$50,000
158	Statewide	Parks Local Matching Funds		\$30,000		30,000
159	Statewide	Trails Program		\$125,000		\$125,000
160	Statewide	Parks Parking Lots		\$100,000		\$100,000

161	Statewide	Construction Service Fee		\$200,000		\$200,000
	TOTAL		\$420,430	\$1,640,513	\$5,000	\$2,065,943

**REAP Non-Game Programs
FY 2009**

	Area	Description	Federal	REAP	Other	Total
162	Statewide	Lands Projects	\$350,000	\$1,312,410		\$1,662,410
163	Statewide	Special Projects		\$50,000		\$50,000
164	Statewide	Match for Federal Funds Transfer	\$178,000	\$378,000		\$556,000
	TOTAL		\$528,000	\$1,740,410		\$2,268,410

**Special Appropriations
FY 2009**

	Area	Description	Federal	Special appropriations	Other	Total
165	Waubonsie State Park	WaShawtee		\$281,510		\$281,510
166	Volga River State Park	Campground		\$1,500,000		\$1,500,000
167	Lake Delhi			\$100,000		\$100,000
168	Carter Lake	Improvements		\$1,000,000		\$1,000,000
169	Mines of Spain	EB Lyons Education Center		\$100,000	\$1,600,000	\$1,700,000
170	Lake Cornelia	Trail Development		\$108,610		\$108,610
171	Fort Atkinson	Preserve Improvements		\$188,791		\$188,791
	TOTAL			\$3,278,911	\$1,600,000	\$4,878,911

**Destination State Park
FY 2009**

	Area	Description	Federal	Special appropriations	Other	Total
172	Destination Park	Values Fund FY08		\$1,000,000		\$1,000,000
173	Destination Park	Values Fund FY09		\$1,000,000		\$1,000,000
174	Destination Park	Tobacco Settlement Trust - RCF		\$3,100,000		\$3,100,000
175	Destination Park	Tobacco Settlement Trust - Tax Exempt RCF		\$4,900,000		\$4,900,000
	TOTAL			\$10,000,000		\$10,000,000

**Water Trails
FY 2009**

	Area	Description	Federal	Special appropriations	Other	Total
176	Water Trails/Low Head Dams	Granting Program		\$1,000,000		\$1,000,000
	TOTAL			\$1,000,000		\$1,000,000

**Dam Safety
FY 2009**

	Area	Description	Federal	Special appropriations	Other	Total
177	Dam Safety	Granting Program		\$250,000		\$250,000
	TOTAL			\$250,000		\$250,000

**State Parks Health and Safety
FY 2009**

	Area	Description	Federal	Special Appropriations	Other	Total
178	Bellevue	Water System		\$150,000		\$150,000
179	Clear Lake	Sewer Line Replacement		\$200,000		\$200,000
180	Lake Keomah	Building		\$300,000		\$300,000
181	Change Orders			\$70,000		\$70,000
182	Engineering Services	Design		\$125,000		\$125,000
183	Contingency			\$65,785		\$65,785
	TOTAL			\$910,785		\$910,785

Commissioner Rettig moved the item. Commissioner Francisco seconded the item. Commission suggested pursuing funding from legislators regarding sewers and water quality issues in state parks. Funding sources for Honey Creek Resort were clarified. Commission suggested efforts be directed to watershed projects to stave off the need for dredging projects. Motion carried unanimously

HONEY CREEK RESORT STATE PARK UPDATE

The Department will provide the Commission information regarding Honey Creek Resort.

Information item. No action required. Note: The Department will present information at the next NRC meeting.

DEER MANAGEMENT ZONE HUNTS FOR 2008

A list of special hunts to be held in Deer Population Management Zones in 2008 is attached. The commission is requested to approve the list as required in department administrative rules 571-Chapter 105. The list includes zones to be open to hunting, season dates for those hunts, legal weapons that may be used for the hunts, license types and quotas related to the hunts, and other information required in Chapter 105. Representatives from all of the cities included as part of the attached list have indicated by letter that they want to be included in the list of special hunts.

2008-09 Deer Management Zone Hunts

Zone Name	Zone #	Season Name	Season Number	Season Begin	Dates End	License Quota	Any Deer
Amana Colonies Zone	1	Youth	1	9/20/2008	10/5/2008		
Amana Colonies Zone	1	Disabled	2	9/20/2008	10/5/2008		
Amana Colonies Zone	1	Bow	3	10/1/2008	1/10/2009		
Amana Colonies Zone	1	Early Muzzle	4	10/11/2008	10/19/2008		
Amana Colonies Zone	1	Reg Gun 1	5	12/6/2008	12/10/2008	1000	
Amana Colonies Zone	1	Reg Gun 2	6	12/13/2008	12/21/2008		
Amana Colonies Zone	1	Late Muzzle	7	12/22/2008	1/10/2009		
Amana Colonies Zone	1	January	8	1/11/2008	1/25/2009		
Amana Colonies Zone	1	November	9	11/28/2008	11/30/2008		
Ames (City)	2	Bow	3	9/13/2008***	1/25/2009	100	
Ames (Perimeter)	3	Youth	1	9/20/2008	10/5/2008		
Ames (Perimeter)	3	Disabled	2	9/20/2008	10/5/2008		
Ames (Perimeter)	3	Bow	3	10/1/2008	1/10/2009		
Ames (Perimeter)	3	Early Muzzle	4	10/11/2008	10/19/2008		
Ames (Perimeter)	3	Reg Gun 1	5	12/6/2008	12/10/2008	125	

Ames (Perimeter)	3	Reg Gun 2	6	12/13/2008	12/21/2008		
Ames (Perimeter)	3	Late Muzzle	7	12/22/2008	1/10/2009		
Ames (Perimeter)	3	January	8	1/11/2008	1/25/2009		
Ames (Perimeter)	3	November	9	11/28/2008	11/30/2008		
Backbone State Park	4	Reg Gun 1	5	12/6/2008	12/7/2008	200	
Bellevue State Park	5	Bow	3	10/1/2008	1/25/2009	100	1
Bettendorf & Riverdale (City)	7	Bow	3	9/13/2008	1/25/2009	300	
Cedar Rapids (City)	8	Bow	3	9/13/2008	1/25/2009	700	45
Clinton (City)	9	Bow	3	9/13/2008	1/25/2009	300	5
Coralville (City)	10	Bow	3	9/13/2008	1/25/2009	400	20
Council Bluffs (City)	69	Bow	3	9/13/2008	1/25/2009	200	3
Davenport (City)	11	Bow	3	9/13/2008	1/25/2009	500	20
Denison (City)	12	Bow	3	10/1/2008	1/25/2009	50	
DeSoto NWR	13	Early Muzzle	4	10/18/2008	10/19/2008	120	
DeSoto NWR	14	Early Muzzle	4	11/1/2008	11/2/2008	120	
DeSoto NWR	15	Late Muzzle	8	1/3/2009	1/4/2009	100	
Dubuque (City)	16	Bow	3	9/13/2008	1/25/2009	400	21
Dubuque County	17	Youth	1	9/20/2008	10/5/2008	500	
Dubuque County	17	Disabled	2	9/20/2008	10/5/2008		
Dubuque County	17	Bow	3	10/1/2008	1/10/2009		
Dubuque County	17	Early Muzzle	4	10/11/2008	10/19/2008		
Dubuque County	17	Reg Gun 1	5	12/6/2008	12/10/2008		
Dubuque County	17	Reg Gun 2	6	12/13/2008	12/21/2008		
Dubuque County	17	Late Muzzle	7	12/22/2008	1/10/2009		
Dubuque County	17	January	8	1/11/2008	1/25/2009		
Dubuque County	17	November	9	11/28/2008	11/30/2008		
Elk Rock State Park	18	Late Muzzle	7	1/12/2009	1/13/2009	50	
Geode State Park	62	Bow	3	10/1/2008	1/25/2009	200	1
Green Valley State Park	20	Early Muzzle	4	11/18/2008	11/19/2008	50	
IAAP	21	Youth	1	9/20/2008	10/5/2008	950	
IAAP	21	Disabled	2	9/20/2008	10/5/2008		
IAAP	21	Bow	3	10/1/2008	1/10/2009		
IAAP	21	Early Muzzle	4	10/11/2008	10/19/2008		
IAAP	21	Reg Gun 1	5	12/6/2008	12/10/2008		
IAAP	21	Reg Gun 2	6	12/13/2008	12/21/2008		
IAAP	21	Late Muzzle	7	12/22/2008	1/10/2009		
IAAP	21	January	8	1/11/2008	1/25/2009		
IAAP	21	November	9	11/28/2008	11/30/2008		
IAAP	22	Early Muzzle	4	10/11/2008	10/19/2008	50	
IAAP Perimeter Hunt	23	Youth	1	9/20/2008	10/5/2008	400	
IAAP Perimeter Hunt	23	Disabled	2	9/20/2008	10/5/2008		
IAAP Perimeter Hunt	23	Bow	3	10/1/2008	1/10/2009		
IAAP Perimeter Hunt	23	Early Muzzle	4	10/11/2008	10/19/2008		
IAAP Perimeter Hunt	23	Reg Gun 1	5	12/6/2008	12/10/2008		
IAAP Perimeter Hunt	23	Reg Gun 2	6	12/13/2008	12/21/2008		
IAAP Perimeter Hunt	23	Late Muzzle	7	12/22/2008	1/10/2009		
IAAP Perimeter Hunt	23	January	8	1/11/2008	1/25/2009		
IAAP Perimeter Hunt	23	November	9	11/28/2008	11/30/2008		
Iowa Falls (City)	24	Bow	3	10/1/2008	1/25/2009	50	
Iowa Lake County Park	70	Bow	3	10/25/2008	12/26/2008	100	

Iowa Lake County Park	71	Late Muzzle	7	12/27/2008	1/25/2009	50	
Jefferson County Park	64	Bow	3	10/1/2008	1/25/2009	100	4
Johnson County	25	Youth	1	9/20/2008	10/5/2008	750	
Johnson County	25	Disabled	2	9/20/2008	10/5/2008		
Johnson County	25	Bow	3	10/1/2008	1/10/2009		
Johnson County	25	Early Muzzle	4	10/11/2008	10/19/2008		
Johnson County	25	Reg Gun 1	5	12/6/2008	12/10/2008		
Johnson County	25	Reg Gun 2	6	12/13/2008	12/21/2008		
Johnson County	25	Late Muzzle	7	12/22/2008	1/10/2009		
Johnson County	25	January	8	1/11/2008	1/25/2009		
Johnson County	25	November	9	11/28/2008	11/30/2008		
Jones County Central Park	65	Bow	3	10/18/2008	1/25/2009	50	
Kent Park	26	Bow	3	10/1/2008	1/25/2009	100	3
Kent Park	27	Reg Gun 1	5	12/6/2008	12/7/2008	60	
Knoxville (City)	75	Bow	3	9/13/2008	1/25/2009	50	
Lacey-Keosauqua State Park	28	Bow	3	10/1/2008	1/25/2009	150	2
Lake Aquahbi State Park	29	Late Muzzle	7	1/3/2009	1/4/2009	50	
Lake Darling State Park	30	Reg Gun 1	5	12/6/2008	12/7/2008	150	
Lake Keomah State Park	31	Bow	3	10/1/2008	1/25/2009	50	1
Lake Macbride State Park	32	Bow	3	10/1/2008	1/25/2009	150	5
Lake Manawa State Park	33	Bow	3	10/1/2008	1/10/2009	50	1
Lake of Three Fires State Park	34	Firearms	8	1/3/2009	1/4/2009	45	
Lake Panorama	35	Bow	3	10/1/2008	1/25/2009	130	3
Lake Panorama	36	Early Muzzle	4	10/11/2008	10/19/2008	25	
Lake Panorama	37	Late Muzzle	7	12/22/2007	1/10/2009	75	
Lake Wapello State Park	38	January	8	1/17/2009	1/18/2009	100	
Ledges State Park	39	Reg Gun 1	5	12/6/2008	12/7/2008	30	
Linn County	40	Youth	1	9/20/2008	10/5/2008	750	
Linn County	40	Disabled	2	9/20/2008	10/5/2008		
Linn County	40	Bow	3	10/1/2008	1/10/2009		
Linn County	40	Early Muzzle	4	10/11/2008	10/19/2008		
Linn County	40	Reg Gun 1	5	12/6/2008	12/10/2008		
Linn County	40	Reg Gun 2	6	12/13/2008	12/21/2008		
Linn County	40	Late Muzzle	7	12/22/2008	1/10/2009		
Linn County	40	January	8	1/11/2008	1/25/2009		
Linn County	40	November	9	11/28/2008	11/30/2008		
Maquoketa Caves State Park	41	Bow	3	10/1/2008	12/21/2008	10	
Maquoketa Caves State Park	42	Early Muzzle	4	11/8/2008	11/16/2008	15	
Muscatine (City)	43	Bow	3	9/13/2008	1/25/2009	200	6
Ottumwa (City)	44	Bow	3	9/13/2008	1/25/2009	300	18
Palisades Kepler State Park	45	Bow	3	10/1/2008	1/10/2009	100	1
Pella (City)	60	Bow	3	9/13/2008	1/25/2009	50	
Pella Perimeter	72	Youth	1	9/20/2008	10/5/2008	100	
	72	Disabled	2	9/20/2008	10/5/2008		
	72	Bow	3	10/1/2008	1/10/2009		
	72	Early Muzzle	4	10/11/2008	10/19/2008		
	72	Reg Gun 1	5	12/6/2008	12/10/2008		
	72	Reg Gun 2	6	12/13/2008	12/21/2008		
	72	Late Muzzle	7	12/22/2008	1/10/2009		

	72	January	8	1/11/2008	1/25/2009		
	72	November	9	11/28/2008	11/30/2008		
Pikes Peak State Park/McGregor	46	Bow	3	10/1/2008	1/25/2009	150	4
Pine Lake State Park	47	Bow	3	10/1/2008	1/10/2009	50	1
Polk-Dallas Archery-only Zone	48	Bow	3	9/13/2008*	1/25/2009		
<i>Licenses valid within POLK/DALLAS Urban deer management zone in urban areas, Polk CCB properties and cetrain Saylorville Federal lands. Local ordinances or rules apply.</i>						1200	50
Polk-Dallas Rural Zone	61	Youth	1	9/20/2008	10/5/2008		
<i>Licenses valid within</i>	61	Disabled	2	9/20/2008	10/5/2008		
<i>POLK/DALLAS deer</i>	61	Bow	3	10/1/2008	1/10/2009		
<i>management zone, outside</i>	61	Early Muzzle	4	10/11/2008	10/19/2008		
<i>controlled/permit-only areas.</i>	61	Reg Gun 1	5	12/6/2008	12/10/2008	400	
	61	Reg Gun 2	6	12/13/2008	12/21/2008		
	61	Late Muzzle	7	12/22/2008	1/10/2009		
	61	January	8	1/11/2008	1/25/2009		
	61	November	9	11/28/2008	11/30/2008		
Reichelt Area	73	Mentor	1	9/27/2008	9/28/2008	20	
Reichelt Area	74	January	7	1/17/2009	1/18/2009	20	
Roberts Creek County Park	76	Bow	3	10/1/2008	12/21/2008	30	
Rock Creek State Park	49	Bow	3	10/16/2008	12/31/2008	50	
Rock Creek State Park	58	Mentor Hunt	1	11/15/2008	11/16/2008	25	
Scott County Park	50	Reg Gun 1	5	12/6/2008	12/7/2008	100	
Smith Wildlife Area	66	Reg Gun 1	5	12/6/2008	12/10/2008	3	
Smith Wildlife Area	67	Reg Gun 2	6	12/13/2008	12/21/2008	3	
Smith Wildlife Area	68	Late Muzzle	7	12/22/2008	1/10/2009	3	
Springbrook State Park	51	Mentor	1	11/22/2008	11/23/2008	30	
Springbrook State Park	52	Reg Gun 2	6	12/13/2008	12/14/2008	75	
Springbrook State Park	64	Bow	3	11/27/2008	12/21/2008	30	
Squaw Creek Park	53	Bow	3	10/1/2008	1/25/2009	100	4
Viking Lake State Park	54	Firearms	4	11/15/2008	11/16/2008	50	
Wapsi Environmental Center	55	Reg Gun 1	5	12/6/2008	12/10/2008	30	
Waterloo & Cedar Falls (City)	56	Bow	3	10/13/2008	1/10/2009	290	16
Washatee	57	Bow	3	10/1/2008	12/5/2008	50	3
Washatee	59	Late Muzzle	7	12/22/2008	1/10/2009	50	
Wildcat Den State Park	63	Bow	3	10/1/2008	1/25/2009	50	

*Individual cities may not use this opening date.

Commissioner Rettig moved the item. Commissioner Francisco seconded the item. Department was commended on the on the work to coordinate the hunts. Motion carried unanimously.

IOWA CITY DEER MANAGEMENT PLAN FOR 2008-2009

The Commission is asked to approve the authorization of sharp shooting deer in Iowa City for 2008-2009 with the following stipulations: 1) take antlerless deer only; 2) removal of antlerless deer on University of Iowa properties to be done between December 21, 2008 and January 16,

2009; 3) removal of antlerless deer in the remainder of Iowa City to be done between January 11, 2009 and February 28, 2009; 4) the use of rimfire rifles shall not be allowed for lethal removal of deer; 5) an authorized agent of the DNR be allowed to observe deer removal when requested by the DNR; 6) Iowa City should strongly consider the use of bow hunting as a means of controlling deer numbers in suitable areas and only use sharp shooting in those areas where bow hunting can not be done because of access logistics.

Commissioner Francisco moved the item. Commissioner Drees seconded the item. Discussion held on Iowa City's deer management plan. The Department responded they could institute bow hunting and would follow up on Iowa City's plans if they request further assistance. Motion carried unanimously.

FINAL RULE—CHAPTER 52, WILDLIFE REFUGES

The Commission is requested to adopt a final rule to amend Chapter 571 – 52, Wildlife Refuges. Chapter 571 – 52 establishes state-owned lands and water under the jurisdiction of the Commission and the Department for the purpose of preserving the biological balance pursuant to the provisions of Iowa Code section 481A.39; for the protection of public parks, public health safety and welfare; and to effect sound wildlife management. This amendment changes the dates restricting public access to refuges from September 10 through December 31 to September 1 through January 31 and redefines the Rathbun Area to apply to Appanoose, Lucas, and Wayne Counties, i.e., all the counties that include the reservoir. The rule also modifies the implementation paragraph to reflect the code sections that it implements.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 52, “Wildlife Refuges,” Iowa Administrative Code.

This amendment changes the dates restricting public access to refuges from September 10 through December 31 to September 1 through January 31 and redefines the Rathbun Area to apply to Appanoose, Lucas, and Wayne Counties, i.e., all the counties that include the reservoir.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 9, 2008 as ARC 6701B. A public hearing was held on April 29, 2008 and no comments were received. Six written comments were received and included a request for waterfowl refuges to be open during deer seasons and review of the current refuge lines with the goal of improving hunter's success rates. Refuges can be opened to deer hunting by the area wildlife biologist who covers the refuge signs. This amendment is intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39. These amendments shall become effective August 20, 2008.

The following amendments are adopted.

Item 1. Amend subrule 571 – 52.1(2)“a”, as follows:

52.1(2) Wildlife refuges.

a. Restrictions. The following areas under the jurisdiction of the department of natural resources are established as game refuges where posted. It shall be unlawful to hunt, pursue, kill, trap, or take any wild animal, bird, or game on these areas at any time, and no one shall carry firearms thereon, except where and when specifically authorized by the department of natural resources. It shall also be unlawful to trespass in any manner on the following areas, where posted, between the dates of September ~~10~~ 1 and ~~December~~ January 31 of each year, both dates inclusive, except that department personnel and law enforcement officials may enter the area at

any time in performance of their duties, and hunters, under the supervision of department staff, may enter when specifically authorized by the department of natural resources.

Area	County
Lake Icaria	Adams
Pool Slough Wildlife Area	Allamakee
Rathbun Area	Appanoose, <u>Lucas, Wayne</u>
Sedan Bottoms	Appanoose
Wildlife Exhibit Area	Boone
Sweet Marsh	Bremer
Big Marsh	Butler
South Twin Lake	Calhoun
Round Lake	Clay
Allen Green Refuge	Des Moines
Henderson	Dickinson
Jemmerson Slough Complex	Dickinson
Spring Run	Dickinson
Ingham Lake	Emmet
Forney Lake	Fremont
Riverton Area	Fremont
Dunbar Slough	Greene
Bays Branch	Guthrie
Green Island Area	Jackson
Hawkeye Wildlife Area	Johnson
Muskrat Slough	Jones
Colyn Area	Lucas
Red Rock Area	Marion, Polk, Warren
Badger Lake	Monona
Tieville/Decatur Bend	Monona
Five Island Lake	Palo Alto
Big Creek-Saylorville Complex	Polk
Chichaqua Area	Polk
Smith Area	Pottawattamie
McCausland	Scott
Princeton Area	Scott
Prairie Rose Lake	Shelby
Otter Creek Marsh	Tama
Green Valley Lake	Union
Three Mile Lake	Union
Lake Sugema	Van Buren
Rice Lake Area	Winnebago
Snyder Lake	Woodbury
Elk Creek Marsh	Worth
Lake Cornelia	Wright

ITEM 2. Amend 571—Chapter 52, implementation sentence, as follows:

This rule is intended to implement Iowa Code section 481A.5, 481A.6, ~~481A.8,~~ 481A.9, and 481A.39.

Date

Richard A. Leopold, Director

<i>Commissioner Francisco moved the item. Commissioner Rettig seconded the item. Discussion held regarding the difference between the Chapter 52 public meeting held 04/29/08 and a Living Lakes Initiative meeting held approximately a month ago. Motion carried unanimously.</i>

FINAL RULE—CHAPTER 95, GAME HARVEST REPORTING AND LANDOWNER-TENANT REGISTRATION

The Commission is requested to adopt a final rule to amend Chapter 571 – 95, Game Harvest Reporting and Landowner-Tenant Registration. This rule outlines how the harvest reporting system and landowner-tenant registration system work. The proposed amendments change the reporting deadline to midnight of the day after the animal is tagged rather than the day it is killed so that if the hunter recovers the animal the following day, there is still adequate time to report the harvest. The amendments also clarify that the transportation tag and harvest report tag are two separate tags and add online registration through ELSI to the options that tenants may use to register for free licenses.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 571 – 95, “Game Harvest Reporting and Landowner-Tenant Registration,” Iowa Administrative Code.

This rule describes the requirements for the harvest reporting system and landowner-tenant registration system.

The proposed amendments change the reporting deadline to midnight of the day after the animal is tagged rather than the day it is killed to provide adequate time to report the harvest if a hunter recovers an animal the day after it is killed. The amendments clarify the language in the rule to reflect that the transportation tag and harvest report tags are two separate tags. The amendments also add online registration through the Electronic Licensing System of Iowa as a method for tenants to register for free licenses.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 9, 2008 as ARC 6700B. A public hearing was held on April 29, 2008 and no comments were received. No written comments were received. These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1 and 483A.7. These amendments shall become effective August 20, 2008.

The following amendments are adopted:

ITEM 1. AMEND RULE 571--95.1(1)(483A) AS FOLLOWS:

95.1(1) Reporting deadlines for deer and turkey.

a. ~~Deer.~~ A harvest report must be made by midnight on the day after the ~~day of the kill,~~ animal is tagged or before the ~~deer~~ animal is taken to a locker or taxidermist, ~~before the deer is~~ processed for consumption, or ~~before the deer~~ is transported out of state, whichever occurs first.

b. ~~Wild turkey. A harvest report must be made no later than midnight on the day after the turkey is killed, before the turkey is taken to a locker or taxidermist, before the turkey is processed for consumption, or before the turkey is transported out of state, whichever occurs first.~~

ITEM 2. AMEND RULE 571--95.1(3)(483A) AS FOLLOWS:

95.1(3) Report confirmation. After the report is made, the hunter will be given a ~~coded~~ confirmation number to write on the ~~license and transportation~~ harvest report tag to verify that the hunter has reported the kill. The harvest report tag and confirmation number ~~must remain on the transportation tag, and the tag~~ must remain attached to the deer or wild turkey until the deer or turkey is processed for consumption.

ITEM 3. Amend subrule 571--95.2(3)(483A) as follows:

95.2(3) Method of registration. A landowner or tenant may register in one of the following ways:

a. Landowners. Persons who own at least one parcel of qualifying land may register on the Internet through ELSI or by mailing or faxing an affidavit obtained from DNR. The online system is available 24 hours a day, seven days a week. An online registrant may immediately obtain a free license once the registration process is complete. A person who registers through the mail or by fax may have to wait up to ten business days after the form is received by DNR to obtain a free license.

b. Tenants. A person who qualifies as a tenant but does not own any qualifying land ~~shall~~ may register on the Internet through ELSI or by mailing or faxing an affidavit obtained from DNR. A tenant may have to wait up to ten business days after the affidavit is received by DNR before obtaining a free license.

Date

Richard A. Leopold, Director

<i>Commissioner Rettig moved the item. Commissioner Garst seconded the item. Motion carried unanimously.</i>
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FINAL RULE—CHAPTER 98, WILD TURKEY SPRING HUNTING

The Commission is requested to adopt a final rule to amend Chapter 571 – 98, Wild Turkey Spring Hunting. Chapter 571 – 98 provides the regulations for hunting wild turkeys during the spring and include season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements. The proposed amendments clarify the language that defines who is eligible for free landowner tenant licenses and makes them the same for both the turkey and deer seasons.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 98, “Wild Turkey Spring Hunting,” Iowa Administrative Code.

This rule gives the regulations for hunting wild turkeys during the spring and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements.

The proposed amendments clarify and make the language that defines who is eligible for free landowner tenant licenses the same for both the turkey and deer seasons.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 9, 2008 as ARC 6698B. A public hearing was held on April 29, 2008 and no comments were received. Four written comments were received including the request that licenses be allowed to hunt in all seasons and that the bag limit be increased. No changes were made based upon these comments.

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1 and 483A.7. These amendments shall become effective August 20, 2008.

The following amendments are adopted.

ITEM 1. AMEND RULE 571--98.5(1)(483A) AS FOLLOWS:

98.5(1) Who qualifies for a free turkey hunting license. ~~Owners or tenants of a farm unit, or a member of an owner or tenant's family who resides with the owner or tenant, are eligible for free wild turkey spring hunting licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify. For purposes of obtaining a free wild turkey spring hunting license, all the land under the lawful control of a landowner and eligible family members or a tenant and eligible family members shall be considered as one farm unit, regardless of how that land is subdivided for agricultural or business purposes.~~

a. Owners and tenants of a farm unit and the spouse or domestic partner and juvenile child of an owner or tenant who reside with the owner or tenant are eligible for free turkey licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify.

b. Juvenile child defined. "Juvenile child" means a person less than 18 years of age or a person who is 18 or 19 years of age and is in full-time attendance at an accredited school pursuing a course of study leading to a high school diploma or a high school equivalency diploma. A person 18 years of age or older who has received a high school diploma or high school equivalency diploma does not qualify.

ITEM 2. Amend subrule 571--98.5(6)(483A) as follows:

98.5(6) Where free licenses are valid. A free license is valid only on the farm unit of the landowner or tenant. "Farm unit" means all parcels of land that are at least two contiguous acres in size, that are operated as a unit for agricultural purposes and ~~that~~ are under lawful control of the landowner or tenant regardless of how that land is subdivided for business purposes. Individual parcels of land do not need to be adjacent to one another to be included in the farm unit. "Agricultural purposes" includes but is not limited to field crops, livestock, horticultural crops (e.g., from nurseries, orchards, truck farms, or Christmas tree plantations), and land managed for timber production.

Date

Richard A. Leopold, Director

<i>Commissioner Rettig moved the item. Commissioner's Drees and Francisco seconded the item. The Department was praised for the revision of the rule noting changes in 1A. Motion carried unanimously.</i>
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FINAL RULE—CHAPTER 99, WILD TURKEY FALL HUNTING

The Commission is requested to adopt a final rule Chapter 571 – 99, Wild Turkey Fall Hunting for Residents. Chapter 571 – 99 give the regulations for hunting wild turkeys during the fall and include season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements. The proposed amendments clarify and make the language that defines who is eligible for free landowner tenant licenses the same for both the turkey and deer seasons.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 99, “Wild Turkey Fall Hunting by Residents,” Iowa Administrative Code.

This rule gives the regulations for hunting wild turkeys during the fall and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements.

The proposed amendments clarify and make the language that defines who is eligible for free landowner tenant licenses the same for both the turkey and deer seasons.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 9, 2008 as ARC 6696B. A public hearing was held on April 29, 2008 and no comments were received. No written comments were received. These amendments shall become effective August 20, 2008.

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1 and 483A.7.

The following amendments are adopted

ITEM 1. AMEND RULE 571--99.11(1)(483A) AS FOLLOWS:

~~99.11(1) Who qualifies for free turkey hunting license. Owners or tenants of a farm unit, or a member of an owner's or tenant's family that resides with the owner or tenant, are eligible for free turkey licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify.~~

a. Owners and tenants of a farm unit and the spouse or domestic partner and juvenile child of an owner or tenant who reside with the owner or tenant are eligible for free turkey licenses. The owner or tenant does not have to reside on the farm unit but must be actively engaged in farming it. Nonresident landowners do not qualify.

b. Juvenile child defined. "Juvenile child" means a person less than 18 years of age or a person who is 18 or 19 years of age and is in full-time attendance at an accredited school pursuing a course of study leading to a high school diploma or a high school equivalency diploma. A person 18 years of age or older who has received a high school diploma or high school equivalency diploma does not qualify.

ITEM 2. Amend subrule 571--99.11(6)(483A) as follows:

~~99.11(6) Where free licenses are valid. Free licenses are valid only on that portion of the farm unit that is in a zone open to turkey hunting. "Farm unit" means all parcels of land that are operated as a unit for agricultural purposes and are under lawful control of the landowner or tenant. A free license is valid only on the farm unit of the landowner or tenant. "Farm unit" means all parcels of land that are at least two contiguous acres in size, that are operated as a unit for agricultural purposes and that are under lawful control of the landowner or tenant regardless of how that land is subdivided for business purposes. Individual parcels of land do not need to~~

be adjacent to one another to be included in the farm unit. ~~For purposes of obtaining a free turkey hunting license, all the land under the lawful control of a landowner and eligible family members or a tenant and eligible family members shall be considered as one farm unit, regardless of how that land is subdivided for agricultural or business purposes.~~ "Agricultural purposes" includes but is not limited to field crops, livestock, horticultural crops (e.g., nurseries, orchards, truck farms, or Christmas tree plantations), and land managed for timber production.

Date

Richard A. Leopold, Director

<i>Commissioner Drees moved the item. Commissioner Rettig seconded the item. Motion carried unanimously.</i>
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FINAL RULE—CHAPTER 106, DEER HUNTING BY RESIDENTS

The Commission is requested to adopt a final rule to amend chapter 571 – 106. This rule sets the season dates, shooting hours, licenses types, quotas and restrictions, method of take, and tagging and reporting requirements for resident deer hunting. It also includes rules for issuing depredation licenses and shooting permits. The proposed amendments clarify that it is illegal to carry someone else's license while hunting and restore the closing date for the late muzzleloader season to January 10. The amendments clarify that if a youth hunter is unsuccessful, as specified in Iowa Code section 483A.8(7), the youth hunter may continue to use the hunter's either-sex license. The amendments clarify that hunters using a blind during the shotgun deer season are required to display blaze orange. The amendments implement the changes suggested from a Kaizen continuous improvement event that was held to improve the deer depredation program. The amendments remove the season extension that was established by an emergency rule after the ice storms in 2007. The amendments also update the implementation clause.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 106, "Deer Hunting by Residents," Iowa Administrative Code.

This chapter sets the season dates, shooting hours, license types, quotas and restrictions, method of take and tagging, and reporting requirements for resident deer hunting. It also includes rules for issuing depredation licenses and shooting permits.

The proposed amendments clarify that it is illegal to carry someone else's license while hunting and restore the closing date for the late muzzleloader season to January 10th. The amendments increase the antlerless quotas by 10,500 licenses over 2007. The amendments clarify that, if a youth hunter is unsuccessful, as specified in Iowa Code section 483A.8(7), the youth hunter may continue to use the hunter's either-sex license. The amendments clarify that hunters using a blind during the shotgun deer season are required to display blaze orange. The amendments implement the changes suggested from a Kaizen event that was held to improve the deer depredation process and implement the changes in Iowa code specified in SF2328. The amendments remove the season extension that was established by an emergency rule making after the ice storms in 2007. The amendments also update the implementation clause.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 9, 2008, as ARC 6691B. A public hearing was held on April 29, 2008, and 13 comments were received. Another 50 written comments were received and included statements that the deer herd has been reduced in areas of the state and that it had increased in the same areas, requests to make unfilled deer tags for antlerless for all counties good for all seasons and a deer tag for every gun season, that landowners should be able to transfer their tags and a recommendation that the blaze orange on ground regulation should be done away with.

Changes have been made to the Notice. Item 3 has been added based upon the results of deer population data gathered since the Notice was published. The additional antlerless licenses should help reduce deer numbers to the Department's goal. Item 6 and Item 8 were added and Item 7 was modified from the Notice to match the language specified in SF 2328.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.24, 483A.24B, and 483A.24C. These amendments shall become effective August 20, 2008.

The following amendments are adopted.

ITEM 1. Amend rule 571–106.1, introductory paragraph, as follows:
571--106.1(481A) Licenses. When hunting deer, all hunters must have in their possession a valid deer hunting license and a valid resident hunting license and must have paid the habitat fee (if normally required to have a hunting license and to pay the habitat fee to hunt). No person while hunting deer shall carry or have in possession any license or transportation tag issued to another person. No one who is issued a deer hunting license and transportation tag shall allow another person to use or possess that license or transportation tag while that person is deer hunting or tagging a deer.

ITEM 2. Amend subrule 106.2(3) as follows:
106.2(3) Muzzleloader seasons. Deer may be taken in accordance with the type, season and zone designated on the license from the Saturday closest to October 14 and continuing for nine consecutive days (early muzzleloader season) or from the Monday following the third Saturday in December through January ~~13~~ 10 of the following year (late muzzleloader season).

ITEM 3. Amend subrule 106.6(6) as follows:
106.6(6) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1750 <u>2100</u>	Floyd	250	Monona	950 <u>1350</u>
Adams	1850 <u>1950</u>	Franklin	150	Monroe	3000
Allamakee	4500	Fremont	1100 <u>1300</u>	Montgomery	1000 <u>1150</u>
Appanoose	3300	Greene	150	Muscatine	1700
Audubon	100	Grundy	0	O'Brien	0
Benton	1000	Guthrie	3000 <u>3300</u>	Osceola	0
Black Hawk	0	Hamilton	100	Page	1300 <u>1500</u>
Boone	500 <u>650</u>	Hancock	0	Palo Alto	0
Bremer	500 <u>700</u>	Hardin	400	Plymouth	100
Buchanan	300 400	Harrison	1000 <u>1350</u>	Pocahontas	0
Buena Vista	0	Henry	2000	Polk	1000 <u>1250</u>
Butler	250	Howard	800	Pottawattamie	1300 <u>1600</u>
Calhoun	0	Humboldt	0	Poweshiek	750

Carroll	100	Ida	0	Ringgold	2500 <u>2600</u>
Cass	800 <u>1000</u>	Iowa	1200	Sac	0
Cedar	4000 <u>1300</u>	Jackson	1800	Scott	800
Cerro Gordo	0	Jasper	4000 <u>1300</u>	Shelby	250
Cherokee	0	Jefferson	2000 <u>2150</u>	Sioux	0
Chickasaw	600	Johnson	2000	Story	400 <u>500</u>
Clarke	1700 <u>1900</u>	Jones	1500	Tama	800
Clay	0	Keokuk	1700 <u>1900</u>	Taylor	2300 <u>2450</u>
Clayton	5500 <u>5800</u>	Kossuth	0	Union	2100
Clinton	1200	Lee	2500	Van Buren	5000 <u>5400</u>
Crawford	150	Linn	1900	Wapello	2000 <u>2150</u>
Dallas	1800 <u>2300</u>	Louisa	1500	Warren	1800 <u>2400</u>
Davis	3300 <u>3600</u>	Lucas	1600 <u>1800</u>	Washington	2150 <u>2250</u>
Decatur	2800	Lyon	0	Wayne	2500 <u>3000</u>
Delaware	1400 <u>1700</u>	Madison	2000 <u>3000</u>	Webster	100
Des Moines	2000	Mahaska	1100 <u>1350</u>	Winnebago	0
Dickinson	0	Marion	1350 <u>1750</u>	Winneshiek	3500
Dubuque	2000	Marshall	500 <u>650</u>	Woodbury	950 <u>1250</u>
Emmet	0	Mills	1000 <u>1150</u>	Worth	100
Fayette	2500 <u>3000</u>	Mitchell	250	Wright	0

ITEM 4. Amend subrule 106.7(8) as follows:

106.7(8) ~~Ground~~ Hunting from blinds. No person shall use a ~~ground~~ blind for hunting deer during the regular gun deer seasons as defined in 106.2(3), unless such blind exhibits a solid blaze orange marking visible in all directions with a minimum height of 12 inches and a minimum width of 12 inches. Such blaze orange shall be affixed directly on or directly on top of the blind. As used in this subrule, "ground blind" means a constructed place of concealment used for the purpose of hiding a person who is hunting from sight. A ground blind is not a naturally occurring feature that a hunter merely uses for concealment. For the purposes of this subrule, the term "blind" is defined as a place of concealment constructed, either wholly or partially from man-made materials, and used by a person who is hunting for the purpose of hiding from sight. A blind is not a naturally occurring landscape feature or an arrangement of natural or agricultural plant material that a hunter uses for concealment. In addition to the requirements in this subrule, hunters using blinds must also satisfy the requirements of wearing blaze orange as prescribed in Iowa Code section 481A.122.

ITEM 5. Amend subrule 106.10(2) as follows:

106.10(2) Season dates. Deer of either sex may be taken statewide for 16 consecutive days beginning on the third Saturday in September. A person who is issued a youth deer hunting license and does not take a deer during the youth deer hunting season may use the deer hunting license and unused tag during the early muzzleloader, late muzzleloader and one of the shotgun seasons. The license will be valid for the type of deer and in the area specified on the original license. The youth must follow all other rules specified in this Chapter for each season. A youth hunting in one of ~~these~~ the other seasons must obtain a hunting license and habitat stamp or hunt with a licensed adult if required by Iowa Code section 483A.24 . If the tag is filled during one of the seasons, the license will not be valid in subsequent seasons.

ITEM 6. Rescind 106.11(2), paragraph "d."

ITEM 7. Amend subrule 106.11(4) as follows:

106.11(4) Depredation permits. Two types of permits may be issued under a depredation management plan.

a. Deer depredation licenses. Deer depredation licenses may be sold to resident hunters only for the regular deer license fee for use during one or more legal hunting seasons. Depredation licenses will be available to producers of agricultural and horticultural crops.

(1) Depredation licenses will be issued ~~in blocks of five licenses~~ up to the number specified in the management plan.

(2) ~~Depredation licenses may be sold to individuals designated by the producer as having permission to hunt. The landowner or an eligible family member may obtain one depredation license for each season established by the commission. No other individual may initially obtain more than three depredation licenses per management plan. When a deer is reported harvested on one of these licenses, then another license may be obtained. Licenses will be sold by designated department field employees.~~

(3) Depredation licenses will be valid only for hunting antlerless deer, regardless of restrictions that may be imposed on regular deer hunting licenses in that county.

(4) Hunters may keep any deer legally tagged with a depredation license.

(5) All other regulations for the hunting season specified on the license will apply.

(6) Depredation licenses will be valid only on the land where damage is occurring and the immediately adjacent property unless the land is within a designated block hunt area as described in subparagraph (7). Other parcels of land in the farm unit not adjacent to the parcels receiving damage will not qualify.

(7) Block hunt areas are areas designated and delineated by wildlife biologists of the wildlife bureau to facilitate herd reduction in a given area where all producers may not qualify for the depredation program or in areas of persistent deer depredation. Depredation ~~permits~~ licenses issued to producers within the block hunt ~~zone~~ area are valid on all properties within the delineated boundaries. Individual landowner permission is required for hunters utilizing depredation licenses within the block hunt area boundaries. Creation of a given block hunt area does not authorize trespass.

b. Deer shooting permits. Permits for shooting deer outside an established hunting season may be issued to producers of high-value horticultural crops when damage cannot be controlled in a timely manner during the hunting seasons (such as late summer buck rubs in an orchard and winter browsing in a Christmas tree plantation) and to other agricultural producers who have an approved DNR deer depredation plan, and on areas such as airports where public safety may be an issue.

(1) Deer shooting permits will be issued at no cost to the applicant.

(2) The applicant or one or more designees approved by the department may take all the deer specified on the permit.

(3) Permits available to producers of high-value horticultural crops or agricultural crops may be valid for taking deer outside of a hunting season depending on the nature of the damage. The number and type of deer to be killed will be determined by a department depredation biologist and will be part of the deer depredation management plan.

(4) Permits issued due to public safety concerns may be used for taking any deer, as necessary, to address unpredictable intrusion which could jeopardize public safety. Permits may be issued for an entire year (January 1 through December 31) if the facility involved ~~maintains a deer proof fence and~~ signs an agreement with the department.

(5) ~~Disposal of deer killed under these permits shall be coordinated with the local conservation officer.~~ All deer killed must be recovered and processed for consumption.

(6) The times, dates, place and other restrictions on the shooting of deer will be specified on the permit.

(7) Antlers from all deer recovered must be turned over to the conservation officer to be disposed of according to department rules.

(8) For out-of-season shooting permits, there are no shooting hour restrictions; however, taking deer with an artificial light is prohibited by Iowa Code section 481A.93.

c. Depredation licenses and shooting permits will be issued in addition to any other licenses for which the hunters may be eligible.

d. Depredation licenses and shooting permits will not be issued if the producer restricts the legal take of deer from the property sustaining damage by limiting hunter numbers below levels required to control the deer herd. This restriction does not apply in situations where shooting permits are issued for public safety concerns.

ITEM 8. Rescind subrule 106.11(5).

ITEM 9. Rescind rule 571–106.14.

ITEM 10. Amend 571–Chapter 106, implementation clause, as follows:

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, and 483A.24, 483A.24B, and 483A.24C.

Date

Richard A. Leopold, Director

Commissioner Drees moved the item. Commissioner Francisco seconded the item. Discussion held regarding deer population, depredation, and tag distribution. Commission proposed two amendments: 1) amend “and process for consumption,” to “and process for human consumption,” 2) amend after family member; add a comma and which shall include landowner’s spouse, or domestic partner, and juvenile children. Amendments seconded and motion carried unanimously. Motion carried for the item unanimously including amendments.

FINAL RULE—CHAPTER 108, FURBEARER SEASONS

The Commission is requested to adopt a final rule to amend Chapter 571 – 108 “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons.” Chapter 571 – 108 sets the season dates, bag limits, possession limits and areas open to hunting or trapping furbearers.

The amendments add Harrison, Monona, Pottawattamie and Woodbury counties to the counties open for taking bobcat. The amendments also increase the quota from 400 to 500 for river otters and from 150 to 200 for bobcats. The amendments eliminate the restrictions on beaver trapping in Linn County. The amendments clarify that all furbearers must be immediately dispatched or released back into the wild and that wild furbearers may not lawfully be kept in pens or enclosures.

NATURAL RESOURCE COMMISSION [571]
Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 108 “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons,” Iowa Administrative Code.

This Chapter sets the season dates, bag limits, possession limits and areas open to hunting and trapping furbearers.

These amendments add Harrison, Monona, Pottawattamie and Woodbury Counties to the area open for taking bobcat. The amendments also increase the quota from 400 to 500 for river otters and from 150 to 200 for bobcats. The amendments eliminate the restrictions on beaver trapping in Linn County.

Notice of Intended Action was published in the Iowa Administrative Bulletin on April 9, 2008, as ARC 6703B. A public hearing was held on April 29, 2008, and 15 comments were received. An additional 9 written comments were received. The comments included requests to open bobcat season statewide and increase limits while other comments requested that the DNR not allow hunting or trapping of bobcats and river otters. There was a request for further discussion about the amendment that clarifies that live animals are not to be held in captivity. Coon hunters and trappers are concerned that they will no longer be able to keep fox and coyote for the collection of urine or to be used to train dogs. They are also concerned that they will no longer be able to legally capture and transfer live raccoon from farmsteads to be released in wildlife areas. A meeting was held on May 5, 2008, with representatives from the Iowa Trappers and Coon Hunters Association. It was clear at that meeting that everyone was not comfortable with the language used in the amendment. Further discussions will be held to develop language for next year that makes it clear that an animal that is legally trapped either during the trapping season or for nuisance animal control must be dispatched or released and that trapping is not to be used as a way to convert wild animals into captivity.

These amendments are intended to implement Iowa Code sections 481A.6 481A.38, 481A.39, 481A.87 and 481A.90.

These amendments shall become effective August 20, 2008.

The following amendments are adopted.

ITEM 1. Amend subrule 108.7(2) as follows:

108.7(2) Open area. River otters may be taken statewide. Bobcats may be taken in the following counties: Adams, Appanoose, Clarke, Davis, Decatur, Des Moines, Fremont, Harrison, Henry, Jefferson, Lee, Lucas, Mills, Monona, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, ~~and~~ Wayne, and Woodbury.

ITEM 2. Amend subrule 108.7(3), paragraph “b,” as follows:

b. Quotas. The quota for the number of river otters that may be taken is ~~400~~ 500 statewide. The quota for the number of bobcats that may be taken is ~~150~~ 200 in the open area. The season shall end for river otters when the number of river otters trapped, as determined by the harvest reporting system, reaches ~~400~~ 500. The season shall end for bobcats when the number of bobcats taken, as determined by the harvest reporting system, reaches ~~150~~ 200. Trappers shall be allowed a 48-hour grace period after the quota is reached to clear their traps of river otters or bobcats. River otters or bobcats found in traps during the grace period may be kept even though the quota is exceeded provided that the trapper has not reached the trapper's personal bag limit. River otters or bobcats trapped after the grace period or in excess of the seasonal bag limit must be turned over to the department; the trapper shall not be penalized.

ITEM 3. Rescind subrule 108.9(2).

Date

Richard A. Leopold, Director

Commissioner Francisco moved the item. Commissioner Drees seconded the item. Motion carried unanimously.

CONSERVATION AND RECREATION DONATIONS

The Natural Resource Commission is requested to approve the following donations:

Donation to:	Amount	Description	Donation Provided by (Name/Org):
Waubonsie State Park	\$28.50	water supplied to volunteers working on prairie burns	Culligan Water Conditioning
IA DNR - Law Enforcement Bureau	\$63.56	three high density ported turkey choke tubes for Remington shotguns for use during youth mentored turkey hunts	Hunter Specialties
Prairie Rose State Park	\$95.00	rock that will be used around the new cabins	Hallett Materials
Viking Lake State Park	\$107.00	a bur oak tree in memory of Betty Benskin	Glen Benskin
Lacy Keosauqua State Park	\$120.00	labor to repair lawn mower decks	David McQuoid McQuoid Welding and Machining
Waubonsie State Park	\$425.00	sucker rod to repair equine area pens	Susan Costello Waubonsie Saddle Club
Waubonsie State Park	\$510.00	sucker rod to repair equine area pens	Dora Guffey Iowa Horse Council
IA DNR - Law Enforcement Bureau	\$650.00	two Remington 870 youth deers guns and hard cases for use in youth mentored programs in memory of John Flack, an avid deer hunter	Joel Flack and the Family of John Flack
Lake Macbride State Park	\$1500.00	for park improvements	Gary Bentrin Solon Beef Days Committee
Waubonsie State Park	\$5400.00	interpretive materials, communication equipment, and office supplies for programs	Endowment Funds of Southwest Iowa
Prairie Rose State Park	\$16,847.00	two cabins which are being well received by the public and make a great addition to the park	Friends of Prairie Rose

The following is information for the Commission regarding land related agreements previously approved during land acquisition presentations.

Donation to:	Amount	Donation Provided by (Name/Org):	Description
IA DNR	\$800,000.00	Iowa Natural Heritage Foundation	for a below market value sale in Dickinson County (Angler's Bay) which provides an additional 1,850 feet of public shoreline on Big Spirit Lake

IA DNR	\$40,000.00	Iowa Natural Heritage Foundation	for a below market value sale in Emmet County (Burr Oak WMA) which provides habitat for waterfowl, upland wildlife species, deer, turkey, and fur-bearers
IA DNR	\$73,800.00	Hardwood Timberland Unlimited	for a below market value sale in Monroe County as an addition to the Thousand Acre Unit of Stephens State Forest

Commissioner Francisco moved the item. Commissioner Drees seconded the item. The Commission recognized the Friends Group for their \$16,000 donation. Motion carried unanimously.

ISU COOP UNIT AGREEMENT

The Commission is requested to approve the annual work plan with Iowa State University for research studies to be conducted through the Cooperative Fish and Wildlife Research Unit in FY 2009. This work is completed pursuant to a long-standing agreement the Department has executed with Iowa State University and which contemplates these annual work plans.

Commissioner Retting moved the item. Commissioner Francisco seconded the item. Commission requested an information item be presented upon completion of the report. Motion carried unanimously.

PUBLICLY OWNED LAKES PROGRAM WATERSHED ELIGIBILITY

The Natural Resource Commission is requested to approve the eligible publicly owned lakes list established by the Department in accordance with 571 Iowa Administrative Code Chapter 31 which was updated and approved by the Commission on March 13, 2008. The Iowa Department of Agriculture and Land Stewardship's Division of Soil Conservation manages the Public Owned Lakes Program, which makes funds available to private landowners to install approved permanent soil conservation practices in the watersheds above the identified publicly owned lakes. The Department is responsible to recommend to the Commission for designation those publicly owned lakes and watersheds for both natural lakes and constructed lakes utilizing criteria established in administrative rule. Funds for the Program come from appropriations to the Iowa Department of Agriculture and Land Stewardship and grants are available to private landowners mentioned above to fund 75% of total project costs. Funding for fiscal year 2009 is \$350,000. Twenty-two applications were submitted from 18 Soil and Water Conservation Districts. According to the newly revised rules, they were evaluated on their identification of locations within the watershed that contribute significant sediment to the lake and their plans for the installation of permanent soil conservation practices to eliminate the sources. In accordance with the rules, the Department makes the following recommendations for watershed eligibility in fiscal year 2009 to the Commission:

- Hawthorn Lake, Mahaska County
- Littlefield Lake, Audubon County
- Lake Geode, Des Moines & Henry Counties
- Lake Meyer, Winneshiek County
- Badger Creek Lake, Madison County
- Central Park Lake, Jones County
- Meadow Lake, Adair County

These recommendations have been sent to all Soil and Water Conservation Districts for informational purposes.

Commissioner Francisco moved the item. Commissioner Retting seconded the item. Commission requested the full list of watersheds considered. Department will provide an information items at the next NRC meeting. Motion carried unanimously.

GENERAL DISCUSSION

* Commissioner Garst discussed attending the Loess Hills Prairie Seminar and the DNR's image at the seminar. Director Leopold stated consideration of having staff attend.

* Commissioner Rettig acknowledged the personal displacements and hardships DNR staff have had to endure during the past difficult month of flooding. Appreciation was expressed for their continued hard work and work in the community as citizens.

* Commissioner Bird commented on a watershed meeting he would be attending in Davis County and discussed the draw down and history of Lake Wapello and panfish limits.

NEXT MEETING DATES

The next meeting will be held on July 10, 2008 in Lehigh.

ADJOURNMENT

Motion was made by Commissioner Francisco to adjourn the June 12, 2008 NRC meeting. Seconded by Commissioner Rettig . Meeting adjourned at 2 p.m..